

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of the Claims:

After amending the claims as set forth above, claims 1-6 are now pending in this application. Claims 1-3 are currently being amended. Claim 1 is amended to correct typographical error. Claims 2 and 3 are amended to depend from claim 1. No new matter has been added.

Claim Objections

Claims 1 and dependent claim 4 were objected to because they recite “ration” instead of --ratio-- in claim 1 line 5.

In accordance with the requested corrections, claim 1 is amended to recite --ratio-- instead of “ration” on line 5. The amendments to independent claim 1 are supported by the applicants’ specification as filed at page 1 line 11, page 2 line 8, page 4, line 16 and page 5, line 2-3. Thus, no new matter is added. Claim 4 depends from claim 1 and believed to be allowable for at least the same reasons claim 1 is believed to be allowable.

Claim Rejections – 35 U.S.C. § 102

Claims 1-6 are rejected under 35 U.S.C 102 (b) as being anticipated by Li et al. (U.S. Patent Number 5,942,466) (hereinafter Li et al.). With regard to independent claim 1 and dependent claims 2 – 6, as amended herein, the rejection is respectfully traversed.

Claim 1 recites, among other features, a method of manufacturing a bismuth based oxide superconducting wire, characterized by the steps of preparing a raw material powder:

wherein the raw material powder contains superconducting phases comprising Bi, Pb, Sr, Ca, Cu, and O in a composition ratio of approximately 2:2:1:2 (Bi+Pb):Sr:Ca:Cu and non-superconducting phases containing Pb;

wherein the ratio of the non-superconducting phases to the superconducting phases is 5 wt% or less.

It is respectfully submitted that Li et al. fail to disclose raw material power containing Pb non-superconducting phases and ratio of the non-superconducting phases to the superconducting phases of 5 wt% or less.

Li et al. disclose several non-superconducting phases consisting of CuO and CaO phases. (Column 16, lines 56-58). Moreover, Fig. 5 discloses CaO peaks as “+” and CuO peaks as “*”. (Li et al., Column 16, lines 58-61). However, Li et al. discloses that the diffraction pattern in Fig. 5 has no discernible peaks corresponding to Ca_2PbO_4 . (Emphasis added) (Column 16, lines 59-61). Therefore, Ca_2PbO_4 may not be present or were not detected in Li et al. In any case, Li et al. fail to disclose Pb containing non superconducting phases.

Moreover, Li et al. discloses “non superconducting phases consisting predominantly of alkaline earth cuprates.” (Li et al., Example 8, column 19, lines 13 – 17). Li et al. define “alkaline earth cuprate or AEC” as consisting of metal oxide phases including calcium (Ca) and/or strontium (SR) and including copper (Cu). (Li et al., column 3 lines 47 – 62). Therefore, Li et al. do not disclose non-superconducting phases containing Pb.

Accordingly, Li et al. fail to disclose a ratio of the non-superconducting phases to the superconducting phases of 5 wt% or less. Li et al. discusses non superconducting phases in Example 1 (Column 16, lines 44 – 65) and Example 8 (Column 19, lines 6 – 21) and these examples do not disclose a ratio for the non-superconducting phases to superconducting phases. Hence, Li et al. fail to disclose a ratio of the non-superconducting phases to the superconducting phases of 5 wt% or less.

Li et al. fail to disclose non-superconducting phases containing Pb and a ratio of the non-superconducting phases to the superconducting phases of 5 wt% or less. Therefore, independent claim 1, as amended, is neither disclosed nor suggested by Li et al. Accordingly claim 1 is believed to be allowable. Because claims 2-6 depend from claim 1, they are believed to be allowable for at least the same reasons as claim 1 is believed to be allowable.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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Respectfully submitted,

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